



U.S. Department of Justice

United States Attorney
Southern District of New York

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

February 10, 2021

BY ECF

The Honorable Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

**AMENDED
MEMO ENDORSED**

Re: *United States v. Martin Ross, et al.*, S1 19 Cr. 913 (SHS)

Dear Judge Stein:

The Government writes to request a 30-day adjournment of the trial and trial-related filing deadlines in the above-captioned case. At the last status conference, the Court scheduled trial for mid-April 2021 (with April 12, 2021 as the tentative trial date pending formal scheduling from the Court's COVID-19 trial scheduling committee). Motions in limine, proposed jury instructions, and voir dire questions are due on March 15, 2021, and responses to motions in limine are due March 22. A status conference is set for March 15 at 10:30 a.m.

As the Court is aware, three of the four defendants in the case have recently pled guilty or are scheduled to do so shortly. The Government and counsel for the remaining defendant, Martin Ross, are actively engaged in final discussions regarding whether there will be a pretrial disposition as to Ross. Given the significant effort involved in preparing for trial during the COVID-19 pandemic and the current significant limitations on the amount of time each week that defense counsel is able to consult with their client due to the pandemic, the parties jointly request (1) an adjournment of the trial to mid-May 2021; (2) an adjournment of the deadline for motions in limine, proposed jury instructions, and voir dire questions to April 15, 2021, and responses to motions in limine to April 22; and (3) an adjournment of the status conference to the week of April 19, 2021.

The Government also moves to exclude time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), from today's date until the adjourn date set by the Court for the status conference. Such an exclusion would be in the interests of justice because it will allow for the effective representation of counsel, will allow the parties to conclude their ongoing plea discussions, and

will reflect the current limited availability of jury trials in this District during the COVID-19 pandemic. The defendant consents to the exclusion of time.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

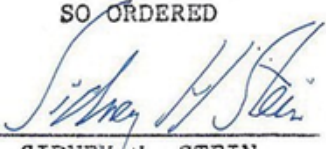
by: 

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cc: Defense counsel (by ECF)

The trial is adjourned to May 17, 2021, at 9:30 a.m. The deadline for motions in limine, proposed jury charges, and proposed voir dire is April 15, 2021, responses to motions in limine are due by April 22. The conference is adjourned to April 19, 2021, at 2:30 p.m. The time is excluded from calculation under the Speedy Trial Act from today until May 7, 2021. The Court finds that the ends of justice served by this continuance outweigh the best interests of the public and the defendant in a speedy trial pursuant to 18 U.S.C. Section 3161(h)(7)(A).

**Dated: New York, New York
February 10, 2021**

SO ORDERED

SIDNEY H. STEIN
U.S.D.J.